

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN TOEBBE,

Defendant.

**Case No.: 3:21CR49-1
(GROH)**

DETENTION ORDER

On October 20, 2021, came the United States of America by S. Derek Shugert and Jessica Lieber Smolar, Assistant United States Attorneys, and also came Defendant, JONATHAN TOEBBE, in person and by his counsel, Nicholas J. Compton, Assistant Federal Public Defender, for a hearing on the United States' Motion to Detain [ECF No. 9], in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f).

Defendant stands indicted and charged with one count of conspiracy to communicate restricted data, and two counts of communication of restricted data, in violation of 42 U.S.C. § 2274(a) and 2014 and 18 U.S.C. § 2(a). Defendant's attorney represented to the Court that Defendant agreed to waive his right to a detention hearing and executed a written waiver on this date. The Court proceeded to inform Defendant that he is entitled to a detention hearing and his rights regarding the same. After inquiry, the Court finds that Defendant, upon consultation with his attorney, knowingly and intelligently waives his right to a detention hearing in this matter.

Based upon the knowing and intelligent waiver of Defendant to a detention hearing in this matter, it is **ORDERED** that the Government's Motion [ECF No. 9] to Detain is **GRANTED**. Accordingly, it is hereby

ORDERED that:

1. Defendant is hereby remanded to the custody of the United States Marshal pending further proceedings in this case;
2. Defendant be confined in a facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel;
4. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding; and
5. Any Party seeking revocation or amendment of this Order shall file a motion pursuant to 18 U.S.C. § 3145.

The Clerk of the Court is directed to provide a copy of this Order to parties who appear pro se and all counsel of record, as applicable, as provided in the Administrative

Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: 10-20-2021



ROBERT W. TRUMBLE
UNITED STATES MAGISTRATE JUDGE